

REMARKS

CLAIM OBJECTIONS

Claim 28 is objected to as being an apparatus claim depending from a method base claim. Claim 28 is amended to make its recitation consistent with a method claim. Applicant proposes that the objection is therefore overcome.

CLAIM REJECTIONS - 35 USC §102

Claim 10 stands rejected as anticipated by Gale (US Patent No. 6,334,107 B1). Applicant notes that claim 10 is amended to place it in independent form, but is otherwise identical to the claim as filed. The Office Action states that Gale's disclosure of appliance maintenance information at col. 7, lines 34-39 falls within the recitation of claim 10. Claim 10 recites, in relevant part: "wherein said information contains a request to receive a service regarding said at least one of a building, a property, a unit of said building, and a unit of said property." Applicant respectfully points out that the cited description relates to static data relating to an appliance which does not fall within the quoted recitation, particularly the term, "request." The static data is merely descriptive information about an appliance and not a "request." For the above reasons, Applicant respectfully proposes that the Office Action fails to provide an adequate basis for rejection and requests that the rejection be withdrawn.

Claim 17 stands rejected as anticipated by Gale. Applicant notes that claim 17 is amended to place it in independent form, but is otherwise identical to the claim as filed. The Office Action states that Gale discloses that the manager may access a user

support feature to obtain help in solving system problems and that software help, such as may be invoked using the F1 key in Windows 98, are well-known. Claim 17 recites: "instructions for service providers and vendors." Gale's sole disclosure cited by the Office Action consists of: "The manager 12 may also access a user support feature to obtain help in solving system problems by a local programmer."

Applicant respectfully traverses the rejection on the grounds that the limitations of claim 17 are not found in the cited reference. In particular, Applicant notes that the cited portion of Gale relates to information that may be said to have originated *from* a service provider or a vendor. However, the claim recites "instructions *for* service providers," which is clearly different. (Emphasis added.) For the foregoing reasons, Applicant respectfully proposes that the rejection of claim 17 should be withdrawn.

Claim 26 stands rejected as anticipated by Gale. Claim 26 is amended to overcome the rejection. Claim 26 now includes limitations relating to software to support collaboration which are believed to be new and patentable.

CLAIM REJECTIONS - 35 USC §103

Claim 8 stands rejected as obvious over Gale (US Patent No. 6,334,107 B1). Applicant notes that claim 8 is amended to place it in independent form, but is otherwise identical to the claim as filed. The Office Action states that although Gale does not disclose "to transmit notification [sic] message when a third party accesses the information" the limitation would have been obvious given that it is known for system

administrators to be notified upon attempts at unauthorized access to a computer system.

Applicant respectfully traverses the rejection of claim 8 on the grounds that claim 8 recites: "transmits a notification message to a *posting* individual ... and further wherein said notification message is at least one of an e-mail message, a facsimile transmission, a pager message, and a telephone message." (Emphasis added.) Unauthorized access notifications via a network are not directed to a *posting* individual as recited in the claim. Also, the Office Action does not provide an argument addressing the limitations relating to the types of messages transmitted. For the above reasons, Applicant respectfully proposes that the Office Action fails to make out a *prima facie* case for rejection and hereby requests that the rejection be withdrawn.

Claim 16 stands rejected as obvious over Gale. Applicant notes that claim 16 is amended to place it in independent form, but is otherwise identical to the claim as filed. The Office Action states that although Gale does not disclose a limitation wherein: "information contains at least one of package delivery information, package shipment information, delivery tracking information, and shipment tracking information," it would have been obvious to add such a limitation. The Office Action argues the limitation would have been obvious to add in light of Gale's disclosure of an identifier of a search engine, which Gale notes may be used to retrieve a hyperlink of a retailer web site. The Office Action goes on to point out that retailer web sites may contain a link to a shipping company's site and that which may be said to fall within the quoted recitation.

Applicant respectfully traverses the rejection on the grounds that the office action fails to provide a prima facie case for rejection. In particular, Applicant notes that the discussion of search engines and retail sites is in the Background section of the cited reference and is not connected at all to building management information as appears to be implicit in the rejection. Thus, there is no argument in the Office Action showing that the combination of limitations directed to a building management system with the information in the quoted clause is obvious. For these reasons Applicant respectfully propose that the rejection of claim 16 should be withdrawn.

Claim 19 stands rejected as obvious over Gale. Applicant notes that claim 19 is amended to place it in independent form, but is otherwise identical to the claim as filed. The Office Action bases the rejection on prior art relating to security provisions sessions that restrict access to software application sessions, not "access to at least one of a building and a property" as recited in the claim. Applicant also points out that claim 19 further recites "said access control information regarding at least one individual authorized to obtain access to said at least one of a building and a property and an authorized time of access." The Office Action does not address these limitations and the prior art and arguments provided are clearly not relevant. For these reasons, Applicant respectfully proposes that the rejection of claim 19 is an error and therefore request that the rejection be withdrawn.


Summary

If the Examiner requires clarification of any issues raised in this response, the Examiner is invited to call the undersigned at (202) 778-1118.

Respectfully submitted,

PROSKAUER ROSE, LLP

Dated: 3/21/2003

By: 
Mark A. Catan
Reg. No. 38,720
Proskauer Rose, LLP
1585 Broadway
New York, NY 10036-8299